

Appln No.10/084,631

Amdt date November 10, 2003

Reply to Office action of May 9, 2003

REMARKS/ARGUMENTS

Claims 1-4, 8-12, 15-17, 29-37 are pending in this application, of which claims 1 and 15 are independent. Claims 1, 4, 8-12 and 15 have been amended. Claims 29-37 have been added. The amendments and new claims add no new matter and find full support in the application as originally filed. In view of the above amendments and following remarks, Applicant respectfully requests reconsideration and a timely indication of allowance.

Rejections Under 35 U.S.C. § 102(b)

The Examiner has rejected claims 1, 3, 7, 10, 11, 15, 17, 19, and 20 under 35 U.S.C. § 102(b) as allegedly being anticipated by Cork (U.S. Patent No. 3,806,133). Applicant respectfully traverses this rejection.

Claims 1 and 15 are each directed to a golf putting aid comprising first and second attachment structures; vertically aligned upper and lower alignment members; and "at least one longitudinal support member disposed between and fixedly attached to the attachment structures." Cork is directed to a golf practicing apparatus comprising a golf club 1 having a slot 5 for receiving upper and lower rods 6. As a golfer practices a golf swing with the club 1, the club 1 is restricted in movement by the rods 6, thus teaching the golfer a straight swing. However, the rods 6 themselves provide longitudinal support to the golf practicing apparatus of Cork. Nowhere does Cork disclose, teach or suggest upper and lower alignment members in addition to "at least one longitudinal support member disposed between and fixedly attached to the attachment structures" as

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recited in claims 1 and 15. Consequently, Cork does not anticipate either claim 1 or claim 15. Claims 3, 10 and 11 depend from claim 1. Claim 17 depends from claim 15. Claims 1 and 15 are now believed to be in condition for allowance over Cork. As such, Applicant submits that claims 3, 10, 11, 15 and 17 are also allowable over Cork as being dependent from an allowable base claim and for the additional limitations they contain therein. Claims 7, 19 and 20 have been cancelled. Accordingly, Applicant respectfully requests that the rejection of claims 1, 3, 10, 11, 15 and 17 over Cork under 35 U.S.C. § 102(b) be withdrawn.

Rejections Under 35 U.S.C. § 103(a)

The Examiner has rejected claims 2, 4-6, 12, 16, 18 and 21 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cork in view of Clement (U.S. Patent No. 6,048,273). Applicant respectfully traverses this rejection.

As discussed above, Cork does not disclose, teach or suggest upper and lower alignment members in addition to "at least one longitudinal support member disposed between and fixedly attached to the attachment structures" as recited in claims 1 and 15. Clement does not make up for this deficiency in Cork. Specifically, Clement teaches a putting teaching apparatus that includes only a single alignment cord 16 that is removably attached to any one of a plurality of slots 30. The putting apparatus of Clement is longitudinally supported at one end by feet 28 of body 26 and at another end by feet 34 of body 32. Thus, Clement does not include a longitudinal support member that is attached to both bodies. Hence, Cork and Clement

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either along or in combination do not disclose, teach or suggest upper and lower alignment members in addition to "at least one longitudinal support member disposed between and fixedly attached to the attachment structures" as recited in claims 1 and 15.

As such Cork and Clement do not render either claim 1 or 15 obvious. Claims 2, 4 and 12 depend from claim 1. Claim 16 depends from claim 15. Claims 1 and 15 are now believed to be in condition for allowance over Cork and Clement. As such, Applicant submits that claims 2, 4, 12 and 16 are also allowable over Cork and Clement as being dependent from an allowable base claim and for the additional limitations they contain therein. Claims 5, 6, 18 and 21 have been cancelled. Accordingly, Applicant respectfully requests that the rejection of claims 2, 4, 12 and 16 over Cork and Clement under 35 U.S.C. § 103(a) be withdrawn.

The Examiner has rejected claims 8 and 9 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Cork in view of Kendall (U.S. Patent No. 5,776,007). Applicant respectfully traverses this rejection.

As discussed above, Cork does not disclose, teach or suggest upper and lower alignment members in addition to "at least one longitudinal support member disposed between and fixedly attached to the attachment structures" as recited in claim 1. Kendall does not make up for this deficiency in Cork. Specifically, Kendall teaches a putting device having a sight line 27 that itself functions as a longitudinal support for the putting device. To assure a golfer's putting stroke is

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straight, the putting device includes a shaft guide rod 39, that the golfer's club can slide against during the entire putting motion.

As stated in Kendall, "[t]he shaft guide rod 39 is supported at an elevation of lower than the sight rod by the guide rod clips 41, which are thumb-screwed to a slot 43 in the stands 29. Since the shaft guide rod 39 is so attached, it may be easily moved on the stand 29, thus allowing the shaft guide rod 39 to adjust for putter shafts coming in at different angles and for accommodating differing putter styles, putting techniques, and golfer height." (Col. 4, line 58- col. 5, line 11).

Hence the guide shaft 39 is not fixedly attached and does not provide longitudinal support to the putting device of Kendall. Thus, Cork and Kendall, either alone or in combination do not disclose, teach or suggest upper and lower alignment members in addition to "at least one longitudinal support member disposed between and fixedly attached to the attachment structures" as recited in claim 1. Claims 8 and 9 depend from claim 1. Claim 1 is now believed to be in condition for allowance over Cork and Kendall. As such, Applicant submits that claims 8 and 9 are also allowable over Cork and Kendall as being dependent from an allowable base claim and for the additional limitations they contain therein. Accordingly, Applicant respectfully requests that the rejection of claims 2, 4, 12 and 16 over Cork and Clement under 35 U.S.C. § 103(a) be withdrawn.

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The Examiner has rejected claims 1-7, 10-12 and 15-21 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Clement in view of Montgomery (U.S. Patent No. 5,273,284). Applicant respectfully traverses this rejection.

As discussed above, Clement does not disclose, teach or suggest upper and lower alignment members in addition to "at least one longitudinal support member disposed between and fixedly attached to the attachment structures" as recited in claims 1 and 15. Montgomery does not make up for this deficiency in Clement. Specifically, Montgomery teaches a putting aid having rods 34 that are cantileverly supported at one end. Hence, Montgomery does not even contain a first and a second attachment structure, as recited in claims 1 and 15, much less a longitudinal support member attached to the attachment structures.

As such, Clement and Montgomery, either alone or in combination do not disclose, teach or suggest upper and lower alignment members in addition to "at least one longitudinal support member disposed between and fixedly attached to the attachment structures" as recited in claims 1 and 15. Claims 2-4 and 10-12 depend from claim 1. Claims 16 and 17 depend from claim 15. Claims 1 and 15 are now believed to be in condition for allowance over Clement and Montgomery. As such, Applicant submits that claims 2-4, 10-12 and 15-17 are also allowable over Clement and Montgomery as being dependent from an allowable base claim and for the additional limitations they contain therein. Claims 5-7, 18-21 have been cancelled. Accordingly, Applicant respectfully requests that the rejection of claims 2-4, 10-12

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and 15-17 over Clement and Montgomery under 35 U.S.C. § 103(a) be withdrawn.

The Examiner has rejected claims 13, 14, 22 and 23 under 35 U.S.C. § 103(a) as allegedly being unpatentable over Clement in view of Montgomery (U.S. Patent No. 5,273,284). Claims 13, 14, 22 and 23 have been canceled.

New Claims


New claims 29-37 have been added. Each of claims 29-37 depend from claim 15. Applicant respectfully submits that claim 15 is in condition for allowance. As such, Applicant respectfully submits that claims 29-37 are also in condition for allowance as being dependent from an allowable base claim and for the addition limitations they contain therein.

In view of the above amendments and remarks, Applicant respectfully submits that claims 1-4, 8-12, 15-17, 29-37 are in condition for allowance, and a timely indication of allowance is respectfully requested. If there are any remaining issues that can be addressed by telephone, Applicant invites the Examiner to contact the undersigned at the number indicated.

Respectfully submitted,

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